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RUEHZL/EUROPEAN POLITICAL COLLECTIVE IMMEDIATE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

C O N F I D E N T I A L USUN NEW YORK 000647

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E.O. 12958: DECL: 07/21/2018  
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SUBJECT: LEBANON: UNIIIC COMMISSIONER BELLEMARE EXPRESSES  
CONCERN ABOUT MANAGEMENT COMMITTEE

REF: A. AMB. ZALMAY KHALILZAD  
[1](#)B. FOR REASONS 1.4(B) AND (D).

[1](#)1. (C) BEGIN SUMMARY: UNIIIC Commissioner and Special Tribunal for Lebanon (STL) Prosecutor-Designate Daniel Bellemare asked Amb. Khalilzad in a July 16 private meeting for the United States to provide the UNIIIC with experienced analysts to assist in the investigation. Bellemare also called for the U.S. to press the STL Management Committee to approve his request for staffing for the STL's Office of the Prosecutor (OTP) as soon as possible and expressed concern that the Committee's deliberations could jeopardize the security and success of UNIIIC's investigation. END SUMMARY.

[1](#)2. (C) In a private meeting July 16 with Amb. Khalilzad, Bellemare thanked the United States for assisting the UNIIIC already and reiterated his request for additional U.S. analysts, stressing that the UNIIIC is at a crucial point in its investigation and that he needs additional support to decide how best to follow up on leads before UNIIIC's mandate expires December 31, 2008. Above all, Bellemare said he intends to return to Syria but needs assistance in identifying who he should see and what he should ask before he does so. (NOTE: UNIIIC's Chapter VII authority to compel cooperation from Syria will also expire at the end of this year. END NOTE.) Bellemare said former UN Under-Secretary-General for Safety and Security David Veness had written the New York Police Department to ask the NYPD to second two to three analysts to the UNIIIC, but that the NYPD had not responded. Amb. Khalilzad offered to help facilitate a meeting with the NYPD, which Bellemare said would be helpful. (COMMENT: USUN will facilitate such a meeting unless Washington suggests an alternative course. END COMMENT.)

[1](#)3. (C) On related staffing issues, Bellemare pressed Amb. Khalilzad to ensure that the STL Management Committee promptly grants Bellemare's request for staffing for the STL's OTP. Bellemare stressed that the Committee, considering his staffing request for the STL's OTP, should give him the flexibility he needs. Bellemare said his staffing proposal is designed to enable him to attract the top-flight criminal investigators and lawyers he needs to prosecute the sophisticated, well-funded defendants that he expects to indict and argued that the Management Committee should treat the STL as a unique body that cannot be compared to the other international tribunals. Unlike the defendants tried by the other tribunals, the perpetrators of the attacks on Rafiq Hariri and others are still part of an organized network that will use its substantial resources to thwart convictions. Amb. Khalilzad agreed with Bellemare that the STL is operating in a unique environment against determined foes and needs highly experienced staff to succeed. (COMMENT: USUN intends to support Bellemare's request for flexibility in the Management Committee unless otherwise instructed. END COMMENT.)

[1](#)4. (C) Bellemare also expressed concern that the Management

Committee's deliberations could jeopardize the UNIIIC's security. For example, he said the Committee's request for the UNIIIC staffing table and other operational information about the UNIIIC was unnecessary and would jeopardize UNIIIC's security by providing opponents of the STL with valuable intelligence. He also expressed dismay at an article in the Beirut newspaper An-Nahar on July 11, which provided a virtually verbatim account of Bellemare's June 19 confidential briefing to the Committee. Amb. Khalilzad assured him that the United States would raise Bellemare's security concerns with the Management Committee and take steps to prevent the Committee from jeopardizing the UNIIIC's operations in any way.

15. (C) COMMENT: The UK Chairman of the Management Committee provided Committee members with the An-Nahar article on July 11 and requested that the Committee discuss how to ensure the confidentiality of its discussions when it next meets on July 24. USUN previously had expressed concern about the need to preserve the confidentiality of the Management Committee's deliberations and to ensure that the meeting minutes prepared by the UN Secretariat are disseminated only on a need-to-know-basis, but the incident suggests that whatever security precautions have been taken are inadequate. USUN will explore whether it is even necessary for the Committee to retain written minutes of its meetings. USUN will raise the issue strongly with the Committee at its next meeting, July 24, and with the Lebanese Mission. END COMMENT.  
Khalilzad